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6 Attorneys for Defendant  
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7

8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 MARC DAVIS,

15 Defendant.  
16

Case No. 1:21-cr-00206-ADA-BAM

**STIPULATION TO SET STATUS  
CONFERENCE; ORDER**

Date: April 26, 2023

Time: 1:00 p.m.

Judge: Hon. Barbara A. McAuliffe

17 IT IS HEREBY STIPULATED by and between the parties through their respective  
18 counsel, Assistant United States Attorney Kimberly A. Sanchez, counsel for plaintiff, and  
19 Assistant Federal Defender Erin Snider, counsel for Marc Davis, that the Court may set this  
20 matter for a status conference on April 26, 2023, at 1:00 p.m. before the Honorable Barbara A.  
21 McAuliffe.

22 The parties agree and request that the Court make the following findings:

- 23 1. On March 14, 2023, the Honorable Ana de Alba denied Mr. Davis's motion to  
24 dismiss .
- 25 2. In light of Judge de Alba's order, counsel for Mr. Davis requires additional time  
26 to consult with her client regarding his options and engage in potential plea negotiations.
- 27 3. Counsel for Mr. Davis believes that failure to grant the above-requested  
28 continuance would deny her the reasonable time necessary for effective preparation, taking into

1 account the exercise of due diligence.

2 4. The government does not object to the continuance.

3 5. Based on the above-stated findings, the ends of justice served by continuing the  
4 case as requested outweigh the interest of the public and the defendant in a trial within the  
5 original date prescribed by the Speedy Trial Act.

6 6. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
7 *et seq.*, within which trial must commence, the time period of March 15, 2023, to April 26, 2023,  
8 inclusive, is excludable pursuant to 18 U.S. C. § 3161(h)(7)(A) and (B)(iv).

9 **IT IS SO STIPULATED.**

10 Respectfully submitted,

11 PHILLIP A. TALBERT  
12 United States Attorney

13  
14 Date: March 14, 2023

/s/ Kimberly A. Sanchez  
KIMBERLY A. SANCHEZ  
Assistant United States Attorney  
Attorney for Plaintiff

17 HEATHER E. WILLIAMS  
18 Federal Defender

19 Date: March 14, 2023

/s/ Erin Snider  
ERIN SNIDER  
Assistant Federal Defender  
Attorney for Defendant  
MARC DAVIS

**ORDER**

**IT IS SO ORDERED.** A status conference is scheduled for **April 26, 2023, at 1:00 p.m. before the Honorable Barbara A. McAuliffe**. The time period of March 15, 2023, to April 26, 2023, inclusive, is excludable pursuant to 18 U.S. C. § 3161(h)(7)(A) and (B)(iv). However, the parties shall explain when they will be ready to set a trial date.

IT IS SO ORDERED.

Dated: **March 16, 2023**

/s/ *Barbara A. McAuliffe*  
UNITED STATES MAGISTRATE JUDGE